

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rico Hernandez on January 21, 2010.

The application has been amended as follows:

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:
- In claim 2, line 3, replace "individual" with - -the individual- -.
  - In claim 4, line 3, replace "tomography" with - -tomograph- -.
  - In claim 4, line 3, replace "including;" with - -further including a stereoradioscopic image constructing section configured to create a stereoradioscopic image by processing a plurality of tomographic images obtained by the X-ray tomograph.- -.
  - In claim 4, delete lines 4-19.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

### ***Allowable Subject Matter***

3. Claims 1-6 are allowed.

The following is an examiner's statement of reasons for allowance:

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- Regarding claim 1, the prior art fails to teach or fairly suggest an x-ray tomograph comprising an x-ray generation being fixed, a planar x-ray image receiving element being fixed, a subject being fixed between the x-ray generator and the planar x-ray image receiving element, wherein a focal position of the x-ray generator is rotatable on a circumference on the radiation plane, and wherein an image processing section cuts out images from individual transmission images corresponding to individual focal positions of the x-ray generator and accumulates the cut-out images to create an accumulated image, each of the cut-out images has a virtual center which is positioned on a circumference with a radius R from a center of each of the transmission images, in combination with all the other limitations of the claim.
- Claims 2-6 are allowable by virtue of their dependencies.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Response to Amendments***

4. By virtue of the amendments to claims 1 and 2 and the cancellation of claim 7, the drawing objections, the claim objections, and the 35 U.S.C. § 112 ¶1 and ¶2 claim rejections set forth in the Non-Final Rejection mailed August 25, 2009, have been overcome.

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Patnaik et al. (US 2008/0247505) teaches an x-ray device for planar tomosynthesis, wherein different multiple angles images are obtained from a fixed detector (figs. 1, 2, and 4).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONA M. SANEI whose telephone number is (571)272-8657.

The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward J. Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mona M Sanei/  
Examiner, Art Unit 2882

/Hoon Song/  
Primary Examiner, Art Unit 2882